UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

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MOTION TO WITHDRAW AS COUNSEL

Now comes, Mark D. Smith, CJA appointed counsel for defendant Paul Hicks in the above-captioned matter, and respectfully requests he be permitted to withdraw as counsel. As grounds therefore, counsel states that private counsel has been retained to represent the defendant.

PAUL HICKS,

By his attorney,

/s/ Mark D. Smith Mark D. Smith, BBO# 542676 Laredo & Smith, LLP 15 Broad Street, Suite 600 Boston, MA 02109 (617) 367-7984

Dated: June 17, 2005